

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 02-CV-3830
	:	
ADVANCED ENVIRONMENTAL	:	
TECHNOLOGY CORPORATION, et al.,	:	
	:	
Defendants.	:	

**ORDER**

**AND NOW**, this            day of            , 2005, upon consideration of the Motion of Defendant Ashland Inc., joined in by Defendants Advanced Environmental Technology Corporation, Carpenter Technology Corporation, FCG, Inc., a/k/a Flexible Circuits, Inc., Handy & Harman Tube Company, Inc., Merit Metal Products Corp., NRM Investment Company, Rahns Specialty Metals, Inc., Techalloy Company, Inc. and Thomas & Betts Corporation, to Dismiss the Fourth Amended Complaint for failure to state a claim upon which relief can be granted, and the Plaintiffs' response thereto, it is hereby **ORDERED** that Defendants' Motion to Dismiss is **GRANTED** and the Fourth Amended Complaint is dismissed in its entirety, with prejudice.

BY THE COURT:

---

Legrome D. Davis, J.